

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 22-61291-CIV-SINGHAL/DAMIAN

DRY TECH 24/7, INC.,

Plaintiff,

vs.

THE CLOROX COMPANY and
ESSENDANT, CO.,

Defendants.

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**ORDER ADOPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION**

THIS MATTER has come before the Court upon The Clorox Company's Motion to Dismiss Second Amended Complaint with Prejudice (DE [59]) and Essendant, Co.'s Motion to Dismiss Count VI of the Complaint (DE [60]) which were referred to the magistrate judge for Report and Recommendation. The magistrate judge issued a Report and Recommendation (DE [79]) on December 18, 2023, recommending that the Motions be granted, that the claims against The Clorox Company be dismissed with prejudice and the claim against Essendant, Co. be dismissed with leave to amend. The Court has reviewed the entire file and record and has made a *de novo* review of the issues. No objections to the magistrate judge's Report and Recommendation having been filed, it is hereby

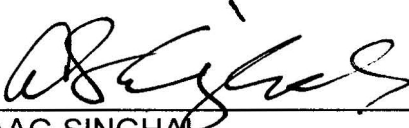
ORDERED AND ADJUDGED as follows:

1. The magistrate judge's Report and Recommendation (DE [79]) is
AFFIRMED and **ADOPTED**.

2. The Clorox Company's Motion to Dismiss Second Amended Complaint with Prejudice (DE [59]) is **GRANTED**. The claims against The Clorox Company are **DISMISSED WITH PREJUDICE**.

3. Essendant, Co.'s Motion to Dismiss Count VI of the Complaint (DE [60]) is **GRANTED**. Count VI of the Second Amended Complaint is **DISMISSED WITHOUT PREJUDICE**. Plaintiff shall have until January 17, 2024, to file a Third Amended Complaint against Essendant, Co.

DONE AND ORDERED in Chambers, Fort Lauderdale, Florida, this 3rd day of January 2024.



RAAG SINGHAL
UNITED STATES DISTRICT JUDGE

Copies furnished counsel via CM/ECF